

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

HOMELAND INSURANCE COMPANY OF  
NEW YORK,

Plaintiff,

v.

CLINICAL PATHOLOGY  
LABORATORIES, INC. SONIC  
HEALTHCARE USA, INC., MEDLAB  
PATHOLOGY, SONIC HEALTHCARE  
(IRELAND) LIMITED, AND SONIC  
HEALTHCARE LIMITED.

Defendants.

CIVIL ACTION NO. 1:20-cv-783

**JOINT MOTION TO EXTEND THE TIME TO SUBMIT A PROPOSED SCHEDULING  
ORDER**

Plaintiff Homeland Insurance Company of New York (“Homeland”) and Defendants Clinical Pathology Laboratories, Inc. (“CPL”), Sonic Healthcare USA, Inc. (“Sonic USA”), MedLab Pathology (“MedLab”), Sonic Healthcare (Ireland) Ltd. (“Sonic Ireland”), and Sonic Healthcare Ltd. (“Sonic Australia”) (collectively, “Defendants”) (collectively with Homeland, the “Parties”) submit this Joint Motion To Extend the Time to Submit A Proposed Scheduling Order as follows:

The Parties participated in a Rule 26(f) conference on November 17 and 20, 2020 to discuss, among other things, discovery and a proposed scheduling order pursuant to Local Rule CV-16.

Defendants have filed a motion to dismiss all of Homeland’s pending claims (ECF 24) and assert that when the Court rules on this motion, it will necessarily rule on the viability of the inclusion of certain parties as well as certain of Homeland’s claims and defenses. Defendants contend that the outcome of the motion may narrow the scope of relevant discovery, which could in turn impact the time necessary to conduct discovery, file dispositive motions, and prepare for trial.

In order to have better certainty with respect to the time required by each party to conduct discovery and prepare their respective claims and defenses, the Parties jointly seek an extension of the deadline to file a proposed scheduling order up to and including fourteen (14) days following the Court’s ruling on Defendants’ motion to dismiss the amended complaint (ECF 24). The Parties anticipate that doing so will reduce the likelihood of having to request modification to any currently contemplated scheduling order.

Respectfully submitted this 23<sup>rd</sup> day of November, 2020.

By: /s/ Jenna A. Fasone

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of this document was served upon counsel of record for all parties who have made an appearance in this case at the addresses indicated by CM/ECF electronic notification on this 23rd day of November 2020. I declare under penalty of perjury that the foregoing is true and correct.

*/s/ Jenna A. Fasone*

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